

103916 U.S. PTO  
09/17/03

Attorney Docket: 056207.49682D1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR § 1.53(b)**

**Mail Stop PATENT APPLICATION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03916 U.S. PTO  
10/663747  
09/17/03

Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b), of pending prior application:

Serial No. 09/793,427  
Filed on February 27, 2001  
Of Mamoru FUJIEDA et al.  
Entitled: DIRECT INJECTION TYPE INTERNAL COMBUSTION  
ENGINE  
Examiner: J. Hoang  
Group: 3747

X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages: 28

X 2. Formal drawings are being filed herewith consisting of nine sheets, depicting Figures 1-14.

X 3. Declaration and Power of Attorney:

a.        Newly executed (original or copy)

b. X Copy from prior application

i.        Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- 5. Cancel original claims \_\_\_\_.
- 6. Small entity status:
  - a.  Is still proper and desired.
  - b.  Is no longer claimed
- 7. The filing fee is calculated below:

**Claims as Filed, Including Any Claims  
Cancelled or Added by Preliminary Amendment**

Basic Fee							\$375/750	=	\$750.00
Total Claims	10	-	20	=	0	x	\$9/18	=	\$
Independent Claims	7	-	3	=	4	x	\$42/84	=	\$336.00
Multiple Dependent Claim Presented							\$140/280	=	\$
<b>Total Filing Fee</b>									<b>\$1086.00</b>

- 8. Please charge the deposit account of undersigned, No. 05-1323, in the amount of \$\_\_\_\_ (Docket #\_\_\_\_).
- 9. A check in the amount of \$1086.00 to cover the filing fee is enclosed.
- 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR § 1.16 or 37 CFR § 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056207.49682D1).
- 11. Amend the specification by inserting before the first line the sentence: --This application is a divisional of application Serial No. 09/793,427, filed February 27, 2001--
- 12. Priority of Appln. No. 2000-055958, filed in Japan on February 28, 2000, is hereby claimed under 35 USC 119.
- 13. A certified copy of each said priority document was filed in application Serial No. 09/793,427 on February 27, 2001.
- 14. The prior application is assigned of record to Hitachi, Ltd.
- 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- a. The power appears in the original application papers in the prior application.

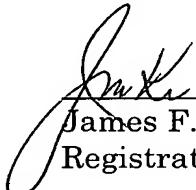
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- d. Address all future correspondence to:

CROWELL & MORING, L.L.P.  
P.O. Box 14300  
Washington, DC 20044-4300

- 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- 17. A Preliminary Amendment is being filed herewith.
- 18. Return Receipt Postcard.

Respectfully submitted,

September 17, 2003



James F. McKeown  
Registration No. 25,406

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JFM/acd